IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE A.GOPAL REDDY
WRIT PETITION NO : 8235 of 1999

Between:
Sri Sarada High School, Giddaluru, Prakasam District, rep.by its Correspondent Sri Chilukala Tirupathaiah.

..... PETITIONER

AND

1. Commissioner and Director of School Education, Andhra Pradesh, Hyderabad.
2. Regional Joint Director of School Education, Guntur, Guntur District.
3. District Educational Officer, Ongole, Prakasam District.
4. Mandal Education Officer, Giddalur Mandal, Prakasam District.
5. The State of Andhra Pradesh, rep. By its Secretary, Education Department, Secretariat, Hyderabad.
6. St.Pauls Educational Development Committee, Giddalur, Prakasam District, rep.by its President, G.C.Moses.

.....RESPONDENTS.

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction, or Writ, particularly one in the nature of Writ of Mandamus, declaring the action of the respondents 1 to 5 in (a) not admitting into grant in aid of nine sanctioned teaching posts of the petitioner school i.e., three bifurcated secondary grade posts, two pandit posts (Grade-II), three B.Ed., posts, 1-5th Class secondary grade post, further the orders of the third respondent dated 05-01-1998 and 27-02-1998 in this regard, (b) not sanctioning of seven non-teaching posts of the petitioner school namely; One physical education Teacher, One Crafts Teacher, One Junior Assistant, three Records Assistants, One Attender, and not admitting the said posts into grant in-aid from their respective dates of entitlement and eligibility as (c) not sanctioning of un-aided posts; two Bed posts and two secondary Grade Teachers and not admission to grant-in-aid in spite of eligibility and entitlement, (d) not paying the Management grant including arrears of it to the petitioner School in spite of eligibility and entitlement as per rules as (e) not closing

the 6th respondent school situated within one Kilometer radius to the existing petitioner school in spite of the issue raised and involved in W.P.No.11232 of 1996 as Arbitrary, illegal, discriminatory, malafide violative of principles of natural justice and contrary to Articles 14, 15, 16, 19 and 21 of the Constitution of India and consequently to direct the respondents 1 to 5 to admit into grant in aid all the posts of sanctioned teacher posts and sanction and admission of grant-in-aid to teaching and non teaching posts and payment of Management grant to the petitioner school as per law from the date of eligibility and entitlement of benefits, further to direct the respondents 1 to 5 to close the 6th respondent school with immediate effect, in the interest of justice.

Counsel for the Petitioner: MRS.S.NANDA, Advocate

Counsel for the Respondents 1 to 5: The GP FOR SCHOOL EDUCATION

Counsel for the Respondent No.6: Mr.Singam Venkata Subbarao, Advocate.

The Court made the following :

ORAL ORDER:

Learned counsel for the petitioner submits that in view of the admission made in the counter that the Regional Joint Director of School Education, Guntur has submitted proposals vide his letter Rc.No.5420/A3/98, dt.13-01-2000 to the Commissioner and Director of School Education, Andhra Pradesh, Hyderabad, necessary orders may be passed directing the Commissioner and Director of School Education, Andhra Pradesh, Hyderabad to pass appropriate orders on the proposals submitted by the Regional Director of School Education, Guntur.

In view of the same, the Commissioner and Director of

School Education, Andhra Pradesh, Hyderabad is hereby directed to pass appropriate orders on the proposals submitted by the Regional Joint Director of School Education, Guntur in his letter in Rc.No.5420/A3/98, dt.13-1-2000 within a period of three months from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The Commissioner and Director of School Education, Andhra Pradesh, Hyderabad.
2.The Regional Joint Director of School Education, Guntur, Guntur District.
3.The District Educational Officer, Ongole, Prakasam District.
4.The Mandal Education Officer, Giddalur Mandal, Prakasam District.
5.The Secretary, Education Department, Secretariat, Hyderabad.
6.The President, St.Pauls Educational Development Committee, Giddalur, Prakasam District.
7.Two CCs to the G.P for School Education, High Court of A.P., Hyderabad (OUT)
8. Two CD copies.

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